

REMARKS

Claims 1, 7, and 12 are currently pending in the present application, with Claims 1 and 12 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner objected to the disclosure due to certain informalities. Applicants have amended the disclosure and provided specification description of the reference labels.

The Examiner objected to Claim 1 for reasons of informality; Applicants have amended the claim accordingly.


The Examiner rejected Claims 1 and 7 under 35 U.S.C. § 102(e) as being anticipated by Gaibotti et al. Applicants hereby submit a supplemental affidavit under 37 C.F.R. 1.131 establish an effective invention date of the present application to be at least as early as December 6, 1998. Specifically, Applicants attach to the affidavit copies of one of the inventor's lab notebook that contains notes between December 6, 1998 to December 9, 1998, as already accepted by the Examiner in the final Office Action. Additionally, the supplemental affidavit includes further evidence establish due diligence efforts in reducing the invention to practice from at least the effective date of Gaibotti. Accordingly, Applicants respectfully submit that this rejection is overcome.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. An entry of the claim amendments after final is requested. Reconsideration and reexamination of the claims and an early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, he is respectfully requested to contact the undersigned attorney.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 53535.20005.00.

Respectfully submitted,

Dated: March 29, 2005

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